



**BellSouth Telecommunications, Inc.**  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

REC'D TN  
REGULATORY AUTH.

Guy M. Hicks  
General Counsel

\*01 NOV 30 PM 3 05

OFFICE OF  
EXECUTIVE SECRETARY

615-214-6301  
Fax 615-214-7406

November 29, 2001

**VIA HAND DELIVERY**

Mr. David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

Re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Trivergent Communications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.*  
Docket No. ~~01-00631~~ 01-01041

Dear Mr. Waddell:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Trivergent Communications, Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority ("TRA") the original and thirteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated June 30, 2000. The Amendment revises the Notice provision in the Agreement.

Thank you for your attention to this matter.

Sincerely yours,

Guy M. Hicks

GMH/jej

Enclosure

cc: Hamilton E. Russell, III, Trivergent Communications, Inc.  
John J. Heitmann, Esquire, Attorney for Trivergent Communications, Inc.  
Don Baltimore, Esquire, Attorney for Trivergent Communications, Inc.

CK# 44587 \$25.00  
CK# 0450016011 25.00  
**PAID**  
11/30/01

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee

In re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Trivergent Communications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*

Docket No. ~~01-00631~~ 01-01041

**PETITION FOR APPROVAL OF THE**  
**AMENDMENT TO THE INTERCONNECTION AGREEMENT**  
**NEGOTIATED BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.**  
**AND TRIVERGENT COMMUNICATIONS, INC.**  
**PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

COME NOW, Trivergent Communications, Inc. ("Trivergent") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated June 30, 2000 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, Trivergent and BellSouth state the following:

1. Trivergent and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to Trivergent. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on October 24, 2000.

2. The parties have recently negotiated an Amendment to the Agreement which revises the Notice provision in the Agreement.

3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, Trivergent and BellSouth are submitting their Amendment to the TRA for its consideration and approval. The Amendment provides that either or both of the parties is authorized to submit this Amendment to the TRA for approval.

4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and Trivergent within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. Trivergent and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

Trivergent and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 29<sup>th</sup> day of Nov., 2001.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300  
(615) 214-6301  
Attorney for BellSouth

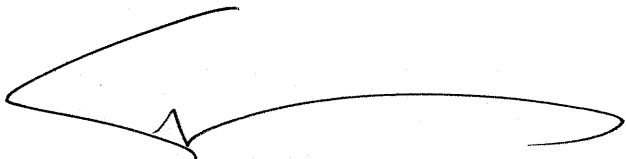
**CERTIFICATE OF SERVICE**

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail, on the 29<sup>th</sup> day of Nov, 2001:

Hamilton E. Russell, III  
Regional Vice President – Legal and Regulatory Affairs  
NuVox Communications, Inc. (formerly TriVergent)  
301 North Main Street, Suite 500  
Greenville, SC 29601

John J. Heitmann Esquire  
Counsel to NuVox Communications, Inc.  
Kelley Drye & Warren LLP  
1200 19<sup>th</sup> Street, NW  
Washington, DC 20036

Don Baltimore, Esquire  
Farrar & Bates  
211 Seventh Avenue North, Suite 420  
Nashville, TN 37219-1823

  
\_\_\_\_\_  
Guy M. Hicks

**AMENDMENT  
TO THE  
INTERCONNECTION AGREEMENT BETWEEN  
TRIVERGENT COMMUNICATIONS, INC.  
AND  
BELLSOUTH TELECOMMUNICATIONS, INC.**

Pursuant to this Amendment ("the Amendment"), TriVergent Communications, Inc. ("TCI") and BellSouth Telecommunications, Inc. ("BellSouth") hereinafter referred to collectively as the "Parties," hereby amend that certain Interconnection Agreement between the Parties dated June 30, 2000 ("Agreement").

WHEREAS, the Parties desire that the Agreement be amended to correct the notice parties for the Agreement and remove a provision of the Agreement, and;

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. Notices subject to Section 25 of the General Terms and Conditions shall now be sent to the following TCI parties:

Hamilton E. Russell, III  
Regional Vice President – Legal and Regulatory Affairs  
NuVox Communications, Inc. (formerly TriVergent)  
Suite 500  
301 North Main Street  
Greenville, SC 29601  
e-mail: [brussell@nuvox.com](mailto:brussell@nuvox.com)  
phone: (864) 331-7323  
FAX: (864) 331-1236

and

John J. Heitmann  
Counsel to NuVox Communications, Inc.  
Kelley Drye & Warren LLP  
1200 19<sup>th</sup> Street, NW  
Washington, DC 20036  
e-mail: [jheitmann@kelleydrye.com](mailto:jheitmann@kelleydrye.com)  
phone: (202) 955-9888  
FAX: (202) 955-9122

and

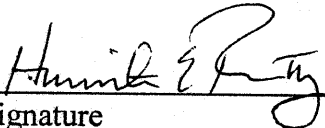
Tony Nelson  
Manager, Network Cost Assurance  
NuVox, Inc.  
Suite 500  
16090 Swingley Ridge Road  
Chesterfield, MO 63017  
email: [anelson@nuvox.com](mailto:anelson@nuvox.com)  
phone: (636) 537-7355  
FAX: (636) 728-7355

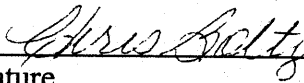
2. Section 8.1.2 of Attachment 2 is hereby deleted in its entirety.
3. All of the other provisions of the Agreement, dated June 30, 2000, shall remain in full force and effect.
4. Either or both of the Parties is authorized to submit this Amendment to each Public Service Commission for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

**TriVergent Communications, Inc.**

**BellSouth Telecommunications, Inc.**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Signature

Hamilton E. Russell, III  
\_\_\_\_\_  
Name

Chris Boltz  
\_\_\_\_\_  
Name

RVP – Legal and Regulatory Affairs  
\_\_\_\_\_  
Title

Managing Director  
\_\_\_\_\_  
Title

8-3-2001  
\_\_\_\_\_  
Date

8-6-01  
\_\_\_\_\_  
Date